

RESOLUTION NO. 99-45

A RESOLUTION OF THE LODI CITY COUNCIL SUPPORTING THE  
DEVELOPMENT OF LEGISLATION THAT LIMITS WASTE DIVERSION  
REQUIREMENTS TO CLASS III TYPE WASTE

=====

WHEREAS, the California Integrated Waste Management Act of 1989 (ACT) requires each County for its unincorporated areas, and each City to divert from landfilling, twenty-five percent of its solid waste stream by 1995 and fifty percent by the year 2000; and

WHEREAS, the ACT, in defining landfills, referenced Section 46027 of the Public Resources Code which states that "solid waste landfill means a disposal facility that accepts solid waste and which meets the requirements of a class III landfill..."; and

WHEREAS, the County and each City within the County, acting in good faith, prepared and adopted individual Source Reduction and Recycling Elements, and Nondisposal Facility Elements, and jointly prepared and adopted a Countywide Household Hazardous Waste Element which presented plans of action to achieve waste diversion goals for class III type waste; and

WHEREAS, the County and each City within the County, acting in good faith, invested considerable resources in the development of infrastructure and programs aimed at achieving waste diversion goals for class III type waste; and

WHEREAS, Assembly Bill 1220, enacted in 1993, repealed the Solid Waste Disposal Cleanup and Maintenance Act, which contained the §46027 which limited the definition of landfills to class III landfills; and

WHEREAS, the California Integrated Waste Management Board has indicated that legislation now requires the County and each City within the County to include both class II and III type wastes in diversion calculations; and

WHEREAS, such requirement to include class II type waste in diversion calculations places an unreasonable burden upon the County and each City within the County; and

WHEREAS, the San Joaquin County Integrated Waste Management Task Force recommends that legislation be developed which limits waste disposal reporting to class III type waste for purposes of the ACT.

NOW, THEREFORE, BE IT RESOLVED that the City of Lodi hereby supports the development of legislation which limits waste diversion requirements to class III type waste for purposes of the ACT; and

BE IT FURTHER RESOLVED that the Public Works Director is hereby authorized to send letters of support to legislators, State agencies, and associations as appropriate, encouraging the development and eventual passage of beneficial legislation that limits waste diversion requirements to class III type waste.

Dated: March 17, 1999

=====

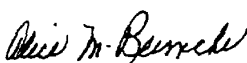
I hereby certify that Resolution No. 99-45 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 17, 1999 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Mann, Nakanishi, Pennino  
and Land (Mayor)

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
ALICE M. REIMCHE  
City Clerk